

<b>Request for Continued Examination (RCE) Transmittal</b>  Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).	<b>Application No.</b>	09/456,894
	<b>Filing Date</b>	December 7, 1999
	<b>Named Inventor(s)</b>	
	Clinton Edward Lum	
	<b>Group/Art Unit</b>	2157
	<b>Confirmation No.</b>	7047
<b>Examiner Name</b>	El Chanti	
<b>Attorney Docket No.</b>	05456.105030	

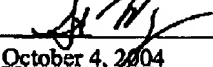
This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicants may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice. Final Rule, 65 Fed. Reg. 50093 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14863 (mar. 20, 2000), 1223 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

- Submission required under 37 C.F.R. § 1.114**
  - ☐ Previously submitted
    - ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_. (Any unentered amendment(s) referred to above will be entered).
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
    - ☐ Other \_\_\_\_\_
  - ☒ Enclosed
    - ☒ Preliminary Amendment/Response to Final Office Action (40 pages).
    - ☐ Affidavit(s)/Declaration(s)
    - ☐ Information Disclosure Statement (IDS)
    - ☒ Other One-Month Extension of Time.
- Miscellaneous**
  - ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(e) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required)
  - ☐ Other \_\_\_\_\_
- Fees** (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)
  - ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0980.
    - ☒ RCE Fee required under 37 CFR § 1.17(e) \$790.00.
    - ☒ Extension of time fee (37 CFR §§ 1.136 and 1.17) \$110.00
    - ☐ Other \_\_\_\_\_
  - ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
  - ☐ Payment by credit card (Form PTO-2038 enclosed)

Signature of Applicant, Attorney or Agent Required

Steven P. Wigmore, Esq.  
KING & SPALDING LLP  
45<sup>th</sup> Floor, 191 Peachtree Street, N.E.  
Atlanta, Georgia 30303

By:  Reg. No. 40,447  
Date: October 4, 2004  
Telephone: 404.572.4600 Facsimile: 404.572.5145  
Customer No. 20786

Certificate of Mailing or Transmission

I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Examiner El Chanti, GAU 2157, Facsimile No. (703) 872-9306 on October 4, 2004.

  
Steven P. Wigmore, Reg. No. 40,447

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1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on \_\_\_\_\_. (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Preliminary Amendment/Response to Final Office Action (40 pages).
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other One-Month Extension of Time.

**DUPLICATE**

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(e) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required)
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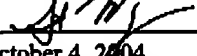
3. **Fees** (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)

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**DUPLICATE**

**Signature of Applicant, Attorney or Agent Required**

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